

MOSHE WAGH,

Plaintiff,

- against -

DENIS McDONOUGH, in his official capacity
as Secretary of Veterans Affairs,

Defendant.

18-CV-7726 (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

Defendant's objection to Plaintiff's Demonstrative 2 is sustained. The exhibit should be modified to reflect the additional \$10,000 in Dr. Wagh's pay, which was in effect at the time that the other doctors listed in the chart were hired. The Court further suggests that for Plaintiff's Demonstrative 2, the title of the Market Pay column be modified to reference the relevant time (e.g., "as of _____"). Similarly, the Court suggests that for Plaintiff's Demonstrative 1, the title of the Market Pay column be modified to reference the relevant time (e.g., "Before Feb. 2017 Increase").

Plaintiff's objection to Defendant's Demonstrative 1 is sustained in part. Either (1) Dr. Wagh's pre-raise annual pay should not include the additional \$10,000 interim raise, or (2) the "Pre-Raise Annual Pay" column title should be modified to reflect an "as of" date.

All exhibits on the parties' exhibit lists discussed at the pre-trial conference and not already excluded are deemed already admitted in evidence. During opening arguments,

however, and in keeping with the normal course of trial, the parties may display only demonstratives, not exhibits.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal flourish extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
November 1, 2021

Copies transmitted this date to all counsel of record.